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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/726,890	11/30/2000	Alan Edward Kaplan	Kaplan 2000-0068	3351

7590 08/03/2004
Henry T. Brendzel
P.O. Box 574
Springfield, NJ 07081

EXAMINER

NGUYEN, QUYNH H

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 08/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/726,890

Applicant(s)

KAPLAN, ALAN EDWARD

Examiner

Quynh H Nguyen

Art Unit

2642

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Amendment filed 5/13/04.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 3-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 3-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Objections

2. Claim 7 is objected to because of the following informalities: (e) type of call. Should read as (c) type of call. Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. Claims 3, and 5-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nichols (U.S. Patent 4,998,273) in view of Sasano et al. (U.S. Patent 5,200,994).

Regarding claims 10 and 3, Nichols teaches a telephone line (Fig. 4, telephone line 1) having more than one telephone number ("plural telephone numbers" - Fig. 4, 51, 53, 55) connected to line 1; and different ringing signals such as short-short, long-short-long rings to distinguish among three numbers called on a single line (col. 6, lines 3-11).

Nichols inherently teaches querying a database to determine whether more than one telephone number translates to the single customer line, but does not teach coding the called telephone number to form called number ID signal; and sending the called number ID signal to one or more CPE is connected to the customer line.

Sasano et al. teach querying a database ("searching through the stored data") to determine whether to carry out a step of a developing called number ID signal (col. 4, lines 16-34); and sending the sub addresses to a line to which one or more CPE is connected (col. 4, lines 47-59).

It would have been obvious to one of ordinary skill in the art at the time the invention was made that to utilize different techniques in order to indicate which number, out of the numbers used for the single line, was actually called. For example, sending different ringing signals in PSTN, or sending different IDs or sub addresses in ISDN, to simply indicate which number was called. Obviously, any available and known technique, such as the one taught by Sasano et al., may be utilized in Nichols to indicate which number was called. When having different number on a single line, knowing which was called is advantageous and provides convenience.

Regarding claim 5, Sasano et al. teach the alert signal comprises one or more ringing signal bursts (col. 11, lines 52-63 and col. 15, lines 19-35).

Regarding claims 6 and 9, Sasano et al. teach the controller sends a signal to the sounder 10 to generate a ringing sound to inform the user of the presence of the incoming call reads on claimed "said commingling places said called number ID signal ahead of a first ringing-signal burst of said one or more ringing signal bursts".

However, Nichols and Sasano do not teach said commingling places said called number ID signal following of a first ringing-signal burst of said one or more ringing signal bursts. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the above-mentioned features in Nichols's system in order to have a better system.

Regarding claims 7 and 8, Sasano et al. teach the step of sending to the CPE one or more special service messages that indicate whether a connection to a CPE is sought to be established to a called number that is marked as "listed" in a directory that

Art Unit: 2642

is accessible to everyone (col. 13, lines 6-29), or whether a connection to the CPE is sought to be established to a called number that is marked as "unlisted" in a directory (col. 13, lines 29-52), or type of call that includes fax calls, modem calls or the like such as collect call, international call, and credit card calls (col. 16, lines 1-9). For example, a fax calls CNG tone will be generated. Inherently, all transmitting fax machines send the CNG tone to start a handshake with the receiving fax machine.

However, since applicant uses alternative language in claim 7, for example, (a) or (b) or (c), Examiner would reject claim 7 to read as "The method of claim 10 further comprising the step of sending to said customer's line one or more special service messages that indicate type of call".

4. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nichols (U.S. Patent 4,998,273) in view of Sasano et al. (U.S. Patent 5,200,994) and further in view of Cepelinski (U.S. Patent 4,293,737).

Regarding claim 4, Nichols and Sasano do not suggest the alert signal is commingled with the called number ID signal.

Cepelinski teaches a telephone system automatic ringing code decoder to provide single party ringing on a multi-party telephone lines; and provided types of ringing, initiate the ringing bursts at different time sequences (col. 1, line 63 through col. 2, line 27).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the features of providing a telephone system automatic ringing code decoder to provide single party ringing on a multi-party

Art Unit: 2642

telephone lines; and provide types of ringing, initiate the ringing bursts at different time sequences, as taught by Cepelinski, in Nichols's system in order to alert the selected called party with distinctive ringing signal burst.

Response to Arguments

5. Applicant's arguments with respect to claims 3-10 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quynh H. Nguyen whose telephone number is 703-305-

Art Unit: 2642

5451. The examiner can normally be reached on Monday - Thursday from 6:30 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

qhn

Quynh H. Nguyen
July 22, 2004



AHMAD MATAR
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600